

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

In re PLAVIX MARKETING, SALES
PRACTICES AND PRODUCTS
LIABILITY LITIGATION (No. II)

Lead Case No. 13-2418 (FLW) (TJB)

UNITED STATES et al., ex rel. ELISA
DICKSON,

Civ. Action No: 13-1039 (FLW) (LHG)

ORDER

Plaintiffs,

v.

BRISTOL-MEYERS SQUIBB CO., et al.,

Defendants.

THESE MATTERS having been opened to the Court by Plaintiff-Relator Elisa Dickson (“Relator”), through her counsel Christopher F. Cueto, Esq., on a motion for suggestion of remand to the United States District Court for the Southern District of Illinois, and by Defendants, through their counsel Monica N. Watson, Esq., on a motion for reconsideration of portions of the transferor court’s January 30, 2013 decision granting in part and denying in part Defendants’ motion to dismiss the Second Amended Complaint (“SAC”); the parties, respectively, having filed opposition and reply briefs in both matters; it appearing that counsel for both parties appeared before the Court on August 21, 2013, at which time the Court heard oral argument in support of and opposition to each party’s motion; the Court having considered the parties’ papers and oral argument, for the reasons set forth on the record on April 21, 2013, and for good cause shown,

IT IS on this 21st day of August, 2013,

ORDERED that Relator's motion for suggestion of remand is DENIED; and it is further

ORDERED that Defendants' motion for reconsideration of parts of the transferor court's January 30, 2012 decision is GRANTED; and it is further

ORDERED that the prior decision to deny Defendants' motion to dismiss with respect to Relator's False Claims Act claims under Medicaid and Medicare Part D is VACATED; and it is further

ORDERED that Defendants' motion to dismiss the False Claims Act claims in the Second Amended Complaint with respect to Medicaid and Medicare Part D is GRANTED; and it is further

ORDERED that Relator is granted leave to file a Third Amended Complaint within 30 days of the date of this Order.

/s/ Freda L. Wolfson
Freda L. Wolfson, U.S.D.J.